



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING November 10, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Marty Blum called the meeting to order at 2:03 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which is ordinarily scheduled to meet at 12:30 p.m., did not meet on this date).

### **PLEDGE OF ALLEGIANCE**

Mayor Blum.

### **ROLL CALL**

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House (2:04 p.m.), Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, Assistant City Attorney N. Scott Vincent, Deputy City Clerk Brenda Alcazar.

### **CEREMONIAL ITEMS**

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through November 30, 2009.

Documents:

November 10, 2009, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Award Recipient John Krohta.

(Cont'd)

1. (Cont'd)

By consensus, the Council recognized the following employees:

5-Year Pin

Christie Lanning, Human Resources Analyst, Administrative Services

10-Year Pin

Samuel Blackwell, Building Inspector, Community Development

Brian Gronnebeck, Senior Building Inspector, Community Development

Darrell Shon, Laboratory Analyst II, Public Works

15-Year Pin

John Gordon, Senior Streets Maintenance Worker, Public Works

20-Year Pin

Karen Flores, Business Officer Supervisor, Police

David Whitham, Police Lieutenant, Police

David Hedges, Police Officer, Police

Nancy Stecki, Administrative Specialist, Public Works

25-Year Pin

Charles Brown, Survey Party Chief, Public Works

John Krohta, Airport Patrol Officer II, Airport

2. Subject: Proclamation Declaring November 2009 As End Domestic Violence Month (120.04)

Action: Proclamation presented to Jayne Brechwald on behalf of Soroptimist International of Santa Barbara.

**PUBLIC COMMENT**

Speakers: David Daniel Diaz; Susan Klein-Rothschild, Santa Barbara County Public Health Department; Ken Loch; Ruth Wilson; Kate Smith.

**CONSENT CALENDAR (Item Nos. 3 - 14)**

The title of the resolution related to Item No. 4 was read.

Motion:

Councilmembers Horton/Williams to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of October 5, 2009, and the regular meetings of October 6, 2009, and October 20, 2009.

Action: Approved the recommendation.

4. Subject: TEFRA Hearing For Mental Health Association's Purchase Of Facilities At 617 Garden Street (240.03)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving the Issuance of Bonds by the California Municipal Finance Authority in an Amount not to Exceed \$2,000,000 for the Purpose of Financing the Acquisition of Facilities for the Mental Health Association in Santa Barbara County, and Certain Other Matters Relating Thereto.

Action: Approved the recommendation; Resolution No. 09-088 (November 10, 2009, report from the Community Development Director; proposed resolution; affidavit of publication).

5. Subject: Approval Of Emergency Purchase Order And Approval Of Sole Source Vendor For Repairs To Equipment At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council:

- A. Retroactively approve emergency Purchase Order No. 382921 in the amount of \$64,148 to JWC Environmental for parts and labor needed to repair existing rag and trash removal equipment at the El Estero Wastewater Treatment Plant (El Estero); and
- B. Approve JWC Environmental as the sole source vendor for future parts and repair of Wastewater influent screening equipment.

Action: Approved the recommendations (November 10, 2009, report from the Public Works Director).

6. Subject: Contract For Design Services For The Zone 4 Pavement Maintenance Project And Acceptance Of Grant Funds (530.04)

Recommendation: That Council:

- A. Approve the selection of Flowers and Associates (Flowers) to provide professional engineering design and construction management services for the annual Pavement Maintenance Project scheduled for Fiscal Years 2010 through 2012;

(Cont'd)

6. (Cont'd)

- B. Authorize the Public Works Director to execute a contract with Flowers in the amount of \$59,280 for design services for the Zone 4 Pavement Maintenance Project (Project), and approve expenditures of up to \$5,928 for extra services of Flowers that may result from necessary changes in the scope of work; and
- C. Accept Local Surface Transportation Program (LSTP) Grant funding in the amount of \$347,000, and increase appropriations and estimated revenues by \$347,000 in the Fiscal Year 2010 Streets Capital Fund for the Project.

Action: Approved the recommendations; Contract No. 23,230 (November 10, 2009, report from the Public Works Director).

7. Subject: Approval Of Purchase Order For Dewatering Equipment At The William B. Cater Treatment Plant (540.10)

Recommendation: That Council:

- A. Authorize the purchase of a dewatering belt press from Aspen Rentals in the amount of \$376,000 for use at the William B. Cater Water Treatment Plant (Cater) pursuant to section 4.52.070 (L) of the Santa Barbara Municipal Code whereby the City Council finds it in the best interest of the City to forego normal bidding processes;
- B. Approve an increase to the existing Purchase Order in the amount of \$18,000 to allow for one additional month of the rental expenditure with Gold Coast Stabilization for a dewatering belt press; and
- C. Approve an increase to the existing Purchase Order in the amount of \$68,250 to allow the continuation of the rental expenditure for the Rain For Rent mixing tank for an additional 30 months.

Action: Approved the recommendations (November 10, 2009, report from the Public Works Director).

8. Subject: Contract For Annual Wastewater Flow Monitoring (540.13)

Recommendation: That Council award and authorize the Public Works Director to execute a contract with V&A Engineering (V&A) for \$212,000 for a Wastewater Flow Monitoring Project and for expenditures up to \$21,200 to cover any cost increases that may result from extra services.

Action: Approved the recommendation; Contract No. 23,231 (November 10, 2009, report from the Public Works Director).

9. Subject: Approval Of Map And Execution Of Agreements For 412 And 414 Anacapa Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,785 for a subdivision at 412 and 414 Anacapa Street (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision.

Action: Approved the recommendation; Agreement Nos. 23,232 and 23,233 (November 10, 2009, report from the Public Works Director).

10. Subject: Approval Of Map And Execution Of Agreements For 1829 State Street And 11 West Pedregosa Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,769 for a subdivision at 1829 State Street and 11 West Pedregosa Street (finding the Final Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision, and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

Action: Approved the recommendation; Agreement Nos. 23,234 and 23,235 (November 10, 2009, report from the Public Works Director).

11. Subject: Approval Of Map And Execution Of Agreements For 618 San Pascual Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,782 for a subdivision at 618 San Pascual Street (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map), and other standard agreements relating to the approved subdivision.

Action: Approved the recommendation; Agreement Nos. 23,236 and 23,237 (November 10, 2009, report from the Public Works Director).

12. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approval For 803 Rametto Lane (640.07)

Recommendation: That Council:

- A. Set the date of December 15, 2009, at 2:00 p.m. for hearing the appeal filed by Raye Haskell of the Single Family Design Board final approval of an application for property owned by Jane Barrett and located at 803 Rametto Lane, Assessor's Parcel No. 015-120-010, A-2 One-Family Residence Zone, General Plan Designation: Residential, Two Units per Acre. The project consists of construction of additions to the first floor and a new second story to an existing 1,837 square-foot, one-story single-family residence located in the Hillside Design District; the proposed total of 3,832 square feet is 77% of the maximum floor-to-lot area ratio guideline; and
- B. Set the date of December 14, 2009, at 1:30 p.m. for a site visit to the property located at 803 Rametto Lane.

Action: Approved the recommendations (September 24, 2009, letter of appeal).

## NOTICES

- 13. The City Clerk has on Thursday, November 5, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 14. A City Council site visit is scheduled for Monday, November 16, 2009, at 1:30 p.m. to the property located at 226 and 232 Eucalyptus Hill Drive, which is the subject of an appeal hearing set for November 17, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Roger L. Horton reported that the Committee met to discuss adjustments to the Fiscal Year 2010 budget, which will be presented to the Council as Agenda Item No. 15.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FINANCE DEPARTMENT**

15. Subject: Fiscal Year 2010 Balancing And Adjustments (230.05)

Recommendation: That Council:

- A. Approve the adjustments to budgeted revenues and expenditures for Fiscal Year 2010 as detailed in the Summary of Recommended Budget Adjustments to address the projected revenue shortfall in the General Fund; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 09-043, Establishing Certain City Fees, Including Water and Wastewater Rates, to Authorize Adjustments to Parks and Recreation Fees and Adjust the Fee for Reserving Library Materials.

Documents:

- November 10, 2009, report from the Interim Finance Director.
- Proposed Resolution.
- November 10, 2009, PowerPoint Presentation.

The title of the resolution was read.

Councilmember Falcone left the meeting at 2:27 p.m. and returned at 2:37 p.m.

Speakers:

Staff: Interim Finance Director Robert Samario, Police Chief Camerino Sanchez, Library Director Irene Macias, Principal Engineer John Ewasiuk.

Motion:

Councilmembers Horton/Schneider to approve the recommendations; Resolution No. 09-089.

Vote:

Unanimous roll call vote.

### **PUBLIC HEARINGS**

16. Subject: Appeal Of Planning Commission Decision For 415 Alan Road (640.07)

Recommendation: That Council deny the appeal of Steven Amerikaner, agent for Mr. and Mrs. Andrew Seybold, and uphold the Planning Commission decision to deny the initiation of the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

(Cont'd)

16. (Cont'd)

Documents:

- November 10, 2009, report from the Community Development Director.
- November 10, 2009, PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.
- November 10, 2009, PowerPoint presentation submitted by Steven Amerikaner.
- May 5, 2009, letter from Richard B. Tanner.
- November 2, 2009, letter from Steve H. Dougherty.

Councilmember Williams left the meeting at 3:04 p.m. and returned at 3:09 p.m.

Public Comment Opened:

3:04 p.m.

Speakers:

- Staff: Associate Planner Kathleen Kennedy, City Planner Bettie Weiss, Assistant City Attorney N. Scott Vincent.
- Planning Commission: Commissioner Sheila Lodge.
- Appellant/Applicant: Steven Amerikaner, Andrew Seybold.

Public Comment Closed:

3:31 p.m.

Motion:

Councilmembers Falcone/House to uphold the appeal and to initiate the Zone Change, General Plan Amendment and Local Coastal Program Amendment at 415 Alan Road.

Amendment Motion:

Councilmembers Falcone/House to uphold the appeal and to initiate the Zone Change, the General Plan Amendment and Local Coastal Plan Program Amendment at 415 Alan Road, and request that staff present to Council what designations the parcel should have in order to meet the City's and applicant's interests and what substantiation, in a deliberation with the Applicant, would be made to ensure that the new unit is a middle income unit.

Vote on Amendment Motion:

Majority voice vote (Noes: Councilmember Horton, Mayor Blum).



## MAYOR AND COUNCIL REPORTS

### 17. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 17, 2009, at 6:00 p.m.  
(Estimated Time: 4:00 p.m.)

Documents:

- November 10, 2009, report from the Administrative Services Director.
- November 10, 2009, resumé submitted by Chris Casebeer.

Assistant City Attorney N. Scott Vincent left the meeting at 4:19 p.m. City Attorney Stephen P. Wiley entered the meeting at 4:24 p.m.

Speakers:

The following applicants were interviewed:

Airport Commission:

William Gilbert

Civil Service Commission:

Kathryn McKee

Downtown Parking Committee:

Randy Rowse

Fire and Police Commission:

Frank Bañales

Robert Handy

Franklin Center Advisory Committee:

Sebastian Aldana, Jr.

Historic Landmarks Commission:

Louise Boucher

William LaVoie

Housing Authority Commission:

Stanley Eisele

Living Wage Advisory Committee:

Gabe Dominocielo

Parks and Recreation Commission:

Chris Casebeer

Lesley Wiscomb

Planning Commission:

Deborah Schwartz

Addison Thompson

Measure P Committee:

Gary Buffington

By consensus, the interviews were continued to November 17, 2009, at 6:00 p.m.

## **RECESS**

5:01 p.m. - 6:03 p.m. Councilmember Horton was absent when the Council reconvened, having stated previously that he would not participate in the discussion of Agenda Item No. 18 due to a conflict of interest related to his ownership of property situated near the proposed project.

Mayor Blum presiding.

Councilmembers present: Falcone, Francisco, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Horton.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen Wiley, Deputy City Clerk Alcazar.

## **PUBLIC COMMENT**

No one wished to speak.

## **PUBLIC HEARINGS**

18. Subject: Appeal Of Planning Commission Decision For 1900 Lasuen Road, El Encanto Hotel (640.07)

Recommendation: That Council deny the appeal filed by Trevor Martinson and uphold the Planning Commission approval of the Modifications and Transfer of Existing Development Rights for the project revisions proposed at the El Encanto Hotel.

### **Documents:**

- November 10, 2009, report from the Community Development Director.
- November 10, 2009, PowerPoint presentation prepared and made by Staff.
- Affidavit of Publication.
- November 4, 2009, letter from Trevor Martinson.
- November 9, 2009, letter from Trevor Martinson.
- November 1, 2009, letter from David and Linda Hughes.
- November 5, 2009, letter from Robert M. Fulmer.
- November 9, 2009, email communication from Edward Cooper.
- November 9, 2009, letter from Jan and Joanna von Yurt.
- November 10, 2009, email communications from Robert Claycomb, Jim Knight, and William Bogaard.
- November 10, 2009, telephone message from Fleurette Janigian.

(Cont'd)

18. (Cont'd)

Public Comment Opened:  
6:03 p.m.

Speakers:

- Staff: Associate Planner Kathleen Kennedy.
- Appellant: Trevor Martinson.
- Applicant: Doug Fell.
- Members of the Public: Sharon Morrow, Nettie Peterson, Ernest Bivans, June R. Andron, Jim Seidler, Mary Moore, Helena Hill, Jeannine Daniel, Farrokh Nazerian, Pete Jordano, Jan Marco von Yurt, Gloria Hendley, Charles Croninger.
- Planning Commission: Commissioner Charmaine Jacobs.

Public Comment Closed:  
6:45 p.m.

Motion:

Councilmembers House/Falcone to deny the appeal because the issues raised by the Appellant are not relevant to the approval granted by the Planning Commission, and to move the project forward.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 7:01 p.m. to Monday, November 16, 2009, at 1:30 p.m. at 226 and 232 Eucalyptus Hill Drive.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ ATTEST:	
MARTY BLUM MAYOR	BRENDA ALCAZAR, CMC DEPUTY CITY CLERK